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EXAMINER	
SCUDERI, PHILIP S	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/043,744	KUROSE, YOSHITOSHI	
	Examiner	Art Unit	
	Philip S. Scuderi	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 May 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-6,8-11,13-15 and 17* is/are pending in the application.

4a) Of the above claim(s) *3 and 14* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-6,8-11,13,15 and 17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 14 May 2007 have been fully considered but they are not persuasive.

Applicant argues that Dingsor (U.S. Pub. No. 2002/0129165) does not teach various features of claim 1. The examiner respectfully disagrees.

Dingsor teaches a first communications device (server 200) for use in (capable of being used in or intended to be used in) a communications system with a second communications device (NAT machine 100) that is an original destination of data transmitted by a client communications device (client device 30), a destination address modification device (NAT machine 100) modifying a destination address of communications data transmitted from the client communications device (client device 30), and the first communications device (server 200) receiving the communications data with the destination address modified by the destination address modification device (NAT machine 100), the first communication device (server 200) [see fig. 2-4] comprising:

a receiving unit receiving communications data with the destination address modified by the destination address modification device [see fig. 2-4; paragraph 25];

an acquisition unit obtaining an original destination address (address of NAT machine 100) of the communications data from the destination address modification device (NAT machine 100) [see fig. 2-4; paragraph 20]; and

a transmitting unit transmitting the response data with the source address modified by the source address modification unit (transmitting the translated response packets) directly to the client

communications device (client device 30) without passing the response data (translated response packets) through the destination address modification device (NAT machine 100) [see fig. 2-4].

Dingsor does not state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100. Thus, Dingsor does not expressly disclose the claimed "source address modification unit modifying a source address of response data in response to the communications data with the destination address modified by the destination address modification device, to the original destination address obtained by the acquisition unit."

Dingsor discloses that translation operations can modify source addresses [see paragraph 32]. Dingsor discloses that translation instructions provided by NAT machine 100 to server 200 can contain the IP address used by NAT machine 100 [see paragraph 20], which suggests that the translation instructions can use the address of NAT machine 100. But, again, Dingsor does not expressly state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100.

One of ordinary skill in the art would readily recognize that if the server does not translate the source address of the response packets the client device 30 would receive response packets with an unrecognized source address. That is, the response packets received by client device 30 would have a source address of server 200, rather than the address of NAT machine 100 to which the original request packets are sent. One of ordinary skill in the art would readily recognize that this situation could potentially cause confusion at client device 30.

It would have been obvious to one of ordinary skill in the art to enable the server to translate the source address of response packets to the address of NAT machine 100. The motivation for doing so would have been to avoid confusion at the client device.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 4-6, 8-11, 13, 15, and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 6, 10, 13, 15, and 17 each recite a "communications device that is an original destination of a client communications device" in lines 2-3, 2-3, 3-4, 3-4, 3-4, and 4-5 respectively. It is unclear what it would mean for a device to be a "destination of" another device. It is the examiner's best understanding that the limitation was meant to read a "communications device that is an original destination of data transmitted by a client communications device." The examiner will treat the claim on the merits as best understood.

Claims 4 and 5 depend from claim 1 and are rejected for the same reasons.

Claims 8 and 9 depend from claim 6 and are rejected for the same reasons.

Claim 11 depends from claim 10 and is rejected for the same reasons.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 13 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 13 is directed to functional descriptive material claimed as descriptive material per se because it claims a computer program (control program) that imparts functionality (the receiving, obtaining, modifying, and transmitting steps) when employed as a computer component and is not limited to being stored on a computer-readable medium [see MPEP § 2106.01]. Functional descriptive material claimed as descriptive material per se is non-statutory [see id.]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 4-6, 8-11, 13, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dingsor (U.S. Pub. No. 2002/0129165).

As to claim 1, Dingsor teaches a first communications device (server 200) for use in (capable of being used in or intended to be used in) a communications system with a second communications device (NAT machine 100) that is an original destination of data transmitted by a client communications device (client device 30), a destination address modification device (NAT machine 100) modifying a destination address of communications data transmitted from the client communications device (client device 30), and the first communications device (server 200) receiving the communications data with the destination address modified by the destination address modification device (NAT machine 100), the first communication device (server 200) comprising:

a receiving unit receiving communications data with the destination address modified by the destination address modification device [see fig. 2-4; paragraph 25];

an acquisition unit obtaining an original destination address (address of NAT machine 100) of the communications data from the destination address modification device (NAT machine 100) [see fig. 2-4; paragraph 28 (address of NAT machine 100 must have been obtained because the ... address indicated in the response prior to applying any translation instructions is the address of the NAT machine)]; and

a transmitting unit transmitting the response data with the source address modified by the source address modification unit (transmitting the translated response packets) directly to the client communications device (client device 30) without passing the response data (translated response packets) through the destination address modification device (NAT machine 100) [see fig. 2-4].

Dingsor does not state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100. Thus, Dingsor does not expressly disclose the claimed "source address modification unit modifying a source address of response data in response to the communications data with the destination address modified by the destination address modification device, to the original destination address obtained by the acquisition unit."

Dingsor discloses that translation operations can modify source addresses [see paragraph 32]. Dingsor discloses that translation instructions provided by NAT machine 100 to server 200 can contain the IP address used by NAT machine 100 [see paragraph 20], which suggests that the translation instructions can use the address of NAT machine 100. But, again, Dingsor does not expressly state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100.

One of ordinary skill in the art would readily recognize that if the server does not translate the source address of the response packets the client device 30 would receive response packets with an unrecognized source address. That is, the response packets received by client device 30 would have a source address of server 200, rather than the address of NAT machine 100 to which the original request packets are sent. One of ordinary skill in the art would readily recognize that this situation could potentially cause confusion at client device 30.

It would have been obvious to one of ordinary skill in the art to enable the server to translate the source address of response packets to the address of NAT machine 100. The motivation for doing so would have been to avoid confusion at the client device.

As to claims 4 and 5, Dingsor teaches the first communications device according to claim 1, further comprising a plurality of communications processing units [see fig. 2-4].

Dingsor does not expressly disclose assigning a process to a relevant communications processing unit of a plurality of communications processing units based on communications ports added to the communications data.

The claimed communications processing units read on applications that respond to requests sent by a client. It was common in the art for servers to select applications to respond to client requests based on ports specified in the requests so that the servers could properly map requests to the appropriate applications. It would have been obvious to enable server 200 to do so here for the same reasons.

As to claim 6, Dingsor teaches a destination address modification device (NAT machine 100) for use in (capable of being used in or intended to be used in) a communications system with a

first communications device (NAT machine 100) that is an original destination of data transmitted by a client communications device (client device 30), the destination address modification device (NAT machine 100) modifying a destination address of communications data transmitted from the client communications device (client device 30), and a second communications device (server 200) receiving the communications data with the destination address modified by the destination address modification device (NAT machine 100), the destination address modification device (NAT machine 100) comprising:

a receiving unit receiving communications data with a destination address (address of NAT machine 100) [see fig. 2-4; paragraph 24];

a destination address modification unit modifying the destination address of the communications data addressed to the first communications device (NAT machine 100) to an address of the second communications device (server 200) [see fig. 2-4; paragraph 25];

a modification information generation unit transmitting an address of the first communications device (NAT machine 100) that is an original address of the communications data to the second communications device (server 200) [see fig. 2-4; paragraph 20].

Dingsor does not state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100. Thus, Dingsor does not expressly disclose the claimed "source address of response data in response to the communications data is modified to the address of the first communications device that is the original destination, and the response data is transmitted directly to the client communications device from the second communications device without passing the response data through the address modification device."

Dingsor discloses that translation operations can modify source addresses [see paragraph 32]. Dingsor discloses that translation instructions provided by NAT machine 100 to server 200 can

contain the IP address used by NAT machine 100 [see paragraph 20], which suggests that the translation instructions can use the address of NAT machine 100. But, again, Dingsor does not expressly state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100.

One of ordinary skill in the art would readily recognize that if the server does not translate the source address of the response packets the client device 30 would receive response packets with an unrecognized source address. That is, the response packets received by client device 30 would have a source address of server 200, rather than the address of NAT machine 100 to which the original request packets are sent. One of ordinary skill in the art would readily recognize that this situation could potentially cause confusion at client device 30.

It would have been obvious to one of ordinary skill in the art to enable the server to translate the source address of response packets to the address of NAT machine 100. The motivation for doing so would have been to avoid confusion at the client device.

As to claim 8, Dingsor teaches the destination address modification device according to claim 6, wherein said modification unit transmits information indicating the destination address before modification as modification information [see fig. 2-4; paragraph 20].

As to claim 9, Dingsor teaches the destination address modification unit according to claim 6, wherein said modification unit adds information indicating the destination address before modification to a data section of the communications data and transmits the data [see fig. 2-4; paragraph 29].

As to claim 10, Dingsor teaches a communications method in a communications system with a first communications device (NAT machine 100) that is an original destination of data transmitted by a client communications device (client device 30), a destination address modification device (NAT machine 100) modifying a destination address of communications data transmitted from the client communications device (client device 30), and a second communications device (server 200) receiving the communications data with the destination address modified by the destination address modification device (NAT machine 100), comprising the steps of:

receiving, by the second communications device (server 200), communications data with the destination address modified by the destination address modification device (NAT machine 100) [see fig. 2-4; paragraph 25];

obtaining, from the destination address modification device (NAT machine 100), an address of the first communications device (NAT machine 100) that is an original destination of the communications data [see fig. 2-4; paragraph 20]; and

transmitting response data directly to the client communications device from the second communications device without passing the response data through the destination address modification device [see fig. 2-4].

Dingsor does not state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100. Thus, Dingsor does not expressly disclose "modifying a source address of response data in response to the communications data to the address of the first communications device that is the original destination; and transmitting the response data, with the source address modified in the source address modifying step."

Dingsor discloses that translation operations can modify source addresses [see paragraph 32]. Dingsor discloses that translation instructions provided by NAT machine 100 to server 200 can contain the IP address used by NAT machine 100 [see paragraph 20], which suggests that the translation instructions can use the address of NAT machine 100. But, again, Dingsor does not expressly state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100.

One of ordinary skill in the art would readily recognize that if the server does not translate the source address of the response packets the client device 30 would receive response packets with an unrecognized source address. That is, the response packets received by client device 30 would have a source address of server 200, rather than the address of NAT machine 100 to which the original request packets are sent. One of ordinary skill in the art would readily recognize that this situation could potentially cause confusion at client device 30.

It would have been obvious to one of ordinary skill in the art to enable the server to translate the source address of response packets to the address of NAT machine 100. The motivation for doing so would have been to avoid confusion at the client device.

As to claim 11, Dingsor teaches the method of claim 10 further comprising the steps of:

requesting the destination address modification device to transmit address modification information [see paragraph 29]; and

receiving the destination address modification information from the destination address modification device and modifying a source address of data in response to communications data with an address modified by the destination address modification device based on the address modification information [see the explanation in regards to claim 10].

As to claim 13, Dingsor teaches a computer-readable communications control program performing control of communications in a communications system with a first communications device (NAT machine 100) that is an original destination of data transmitted by a client communications device (client device 30), a destination address modification device (NAT machine 100) modifying a destination address of communications data transmitted from the client communications device (client device 30), and a second communications (server 200) device receiving the communications data with the destination address modified by the destination address modification device (NAT machine 100) to enable a computer to implement functions, the functions comprising:

receiving, by the second communications device (server 200), communications data with the destination address modified by the destination address modification device (NAT machine 100) [see fig. 2-4; paragraph 25];

obtaining, by the second communications device (server 200) from the destination address modification device (NAT machine 100), an address of the first communications device (NAT machine 100) that is an original destination of the communications data [see fig. 2-4; paragraph 20]; and

transmitting response data directly to the client communications device (client device 30) from the second communications device (server 200) without passing the response data through the destination address modification device (NAT machine 100) [see fig. 2-4].

Dingsor does not state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100. Thus, Dingsor does not expressly disclose "modifying a source address of response data to the communications data to the

obtained address of the first communications device that is the original destination; and transmitting the response data, with the source address modified in the source address modifying step."

Dingsor discloses that translation operations can modify source addresses [see paragraph 32]. Dingsor discloses that translation instructions provided by NAT machine 100 to server 200 can contain the IP address used by NAT machine 100 [see paragraph 20], which suggests that the translation instructions can use the address of NAT machine 100. But, again, Dingsor does not expressly state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100.

One of ordinary skill in the art would readily recognize that if the server does not translate the source address of the response packets the client device 30 would receive response packets with an unrecognized source address. That is, the response packets received by client device 30 would have a source address of server 200, rather than the address of NAT machine 100 to which the original request packets are sent. One of ordinary skill in the art would readily recognize that this situation could potentially cause confusion at client device 30.

It would have been obvious to one of ordinary skill in the art to enable the server to translate the source address of response packets to the address of NAT machine 100. The motivation for doing so would have been to avoid confusion at the client device.

As to claim 15, Dingsor teaches a computer-readable storage medium which stores a communications control program performing control of communications used n a communications system with a first communications device (NAT machine 100) that is an original destination of data transmitted by a client communications device (client device 30), a destination address modification device (NAT machine 100) modifying a destination address of communications data transmitted

from the client communications device (client device 30), and a second communications device (server 200) receiving the communications data with the destination address modified by the destination address modification device (NAT machine 100) for enabling a computer to implement functions, the functions comprising:

receiving communications data with a destination address modified by a destination address modification device (NAT machine 100) [see fig. 2-4; paragraph 25];

obtaining, by the second communications device (server 200) from the destination address modification device (NAT machine 100), an address of the first communications device (NAT machine 100) that is an original destination of the communications data [see fig. 2-4; paragraph 20]; and

transmitting response data directly to the client communications device (client device 30) from the second communications device (server 200) without passing the response data through the destination address modification device (NAT machine 100) [see fig. 2-4].

Dingsor does not state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100. Thus, Dingsor does not expressly disclose, "modifying a source address of response data to the communications data to the obtained address of the first communications device that is the original destination; and transmitting the response data, with the source address modified."

Dingsor discloses that translation operations can modify source addresses [see paragraph 32]. Dingsor discloses that translation instructions provided by NAT machine 100 to server 200 can contain the IP address used by NAT machine 100 [see paragraph 20], which suggests that the translation instructions can use the address of NAT machine 100. But, again, Dingsor does not

expressly state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100.

One of ordinary skill in the art would readily recognize that if the server does not translate the source address of the response packets the client device 30 would receive response packets with an unrecognized source address. That is, the response packets received by client device 30 would have a source address of server 200, rather than the address of NAT machine 100 to which the original request packets are sent. One of ordinary skill in the art would readily recognize that this situation could potentially cause confusion at client device 30.

It would have been obvious to one of ordinary skill in the art to enable the server to translate the source address of response packets to the address of NAT machine 100. The motivation for doing so would have been to avoid confusion at the client device.

As to claim 17, Dingsor teaches a communications system with a first communications device (NAT machine 100) that is and original destination of data transmitted by a client communications device (client device 30), a destination address modification device (NAT machine 100) modifying a destination address of communications data transmitted from the client communications device (client device 30), and a second communications device (server 200) receiving the communications data with the destination address modified by the destination address modification device (NAT machine 100), comprising:

the destination address modification device (NAT machine 100), comprising:

a receiving unit receiving communications data [see fig. 2-4];

a destination address modification unit modifying the destination address of the communications data addressed to the first communications device (NAT machine 100) to

an address of the second communications device (server 200) [see fig. 2-4; paragraph 25]; and

a modification information generation unit transmitting an address of the first communications device (NAT machine 100) that is an original address of the communications data to the second communications device (server 200) [see fig. 2-4; paragraph 20];

the second communications device (server 200), comprising:

an acquisition unit obtaining an address of the first communications device (NAT machine 100) that is an original destination of the communications data from the destination address modification device (NAT machine 100) [see fig. 2-4; paragraph 20];

a transmitting unit transmitting a response directly to the client communications device (client device 30) without passing the response through the destination address modification device (NAT machine 100) [see fig. 2-4].

Dingsor does not state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100. Thus, Dingsor does not expressly disclose "a source address modification unit modifying a source address of response data in response to the communications data to the address of the first communication device obtained by the acquisition unit; and a transmitting unit transmitting the response data with the source address modified by the source address modification unit to the address of the first communication device."

Dingsor discloses that translation operations can modify source addresses [see paragraph 32]. Dingsor discloses that translation instructions provided by NAT machine 100 to server 200 can contain the IP address used by NAT machine 100 [see paragraph 20], which suggests that the

translation instructions can use the address of NAT machine 100. But, again, Dingsor does not expressly state that server 200's outbound translation procedure translates the source address of response packets to the address of NAT machine 100.

One of ordinary skill in the art would readily recognize that if the server does not translate the source address of the response packets the client device 30 would receive response packets with an unrecognized source address. That is, the response packets received by client device 30 would have a source address of server 200, rather than the address of NAT machine 100 to which the original request packets are sent. One of ordinary skill in the art would readily recognize that this situation could potentially cause confusion at client device 30.

It would have been obvious to one of ordinary skill in the art to enable the server to translate the source address of response packets to the address of NAT machine 100. The motivation for doing so would have been to avoid confusion at the client device.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PS

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